

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

STEPHEN KERSHNAR,

Plaintiff,

v.

STEPHEN H. KOLISON, JR, in his
individual capacity and his official
capacity as the President of the State
University of New York at Fredonia, *et*
al.,

Defendants.

Case No.: 1:23-cv-00525

**NOTICE OF MOTION AND MOTION
TO APPEAR PRO HAC VICE**

PLEASE TAKE NOTICE that upon the accompanying petition of Adam Steinbaugh, sworn to the 7th day of June, 2023; the sponsoring affidavit of Barry Covert; the Attorney's Oath of Adam Steinbaugh; the Affirmation by Adam Steinbaugh to the Civility Principles and Guidelines; and the Attorney Database & Electronic Case Filing Registration Form, the undersigned will and hereby does move this Court, at the United States District Courthouse, 100 State Street, Rochester, N.Y., 13261 for an order pursuant to L. Civ. R. 83.1(i) of the United States District Court for the Western District of New York, granting admission *pro hac vice* of Adam Steinbaugh, to participate in this action on behalf of the Plaintiff.

Dated: June 13, 2023

Respectfully submitted,

/s/ Barry N. Covert

Barry N. Covert, Esq.

LIPSITZ GREEN SCIME CAMBRIA LLP

42 Delaware Avenue – Suite 120

Buffalo, New York 14202

Phone: (716) 849-1333

Email: bcovert@lglaw.com

Counsel for Plaintiff

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

Print

IN THE MATTER OF THE APPLICATION OF

Adam Steinbaugh

(Name)

TO BE ADMITTED TO PRACTICE AS AN ATTORNEY

TO THE HONORABLE Lawrence J. Vilardo, JUDGE OF THE UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF NEW YORK:

Adam Steinbaugh

, petitioner herein, respectfully states:

1. That petitioner has an office for the practice of law at:

510 Walnut Street, Suite 1250, Philadelphia, PA 19106

2. That petitioner attended the following educational institutions and received the following degrees:

Loyola Law School, J.D.

Whittier College, B.A., Liberal Arts

3. Please complete either (a), (b) or (c):

Admission by Petition

(a) That petitioner was admitted to practice by the Appellate Division of the Supreme Court, _____ Department of the State of New York on the _____ day of _____.

Additional Requirements:

Admission Sponsoring Affidavit

Attorney's Oath

Civility Principles Oath

Attorney Database Form

Attorney CM/ECF Registration Form

*Include the Pro Bono Volunteer Panel Form if you wish to become a member of the Court's Volunteer Pro Bono Panel.

Admission by Certificate of Good Standing

(b) That petitioner was admitted to practice in the United States District Court of the _____ District of New York on the _____ day of _____, and is a member of the bar of the State in which that district court is located and in which the petitioner maintains an office for the practice of law.

Additional Requirements:

Certificate of Good Standing from the Clerk of Court of which he or she is a member (dated no earlier than six months prior to submission to this Court)

Check or money order in the amount of the Attorney Admission fee set forth in the District Court

Schedule of Fees

Attorney's Oath

Civility Principles Oath

Attorney Database Form

Attorney CM/ECF Registration Form

*Include the Pro Bono Volunteer Panel Form if you wish to become a member of the Court's Volunteer Pro Bono Panel.

Pro Hac Vice Admission

(c) That petitioner is admitted to practice in the State of California

Additional Requirements:

Motion to Appear Pro Hac Vice

Check, Money Order or payment of fee on line in the amount of the Pro Hac Fee set forth in the District Court Schedule of Fees

Admission Petition Form

Admission Sponsor Affidavit

Attorney's Oath

Civility Principles Oath

Attorney Database Form

Attorney CM/ECF Registration Form

4. Petitioner is admitted to the following courts:

C.D. Cal., S.D. Cal., N.D. Cal., E.D. Cal., E.D. Pa., D. Colo., 11th Cir.

5. Since such admission(s), petitioner has practiced in the following courts:

C.D. Cal.; 11th Cir.; pro hac vice: N.D. Tex, N.D. Fla, N.D. Ga, S.D. Ga, Tenn Ct App

and has been involved in the following professional activities:

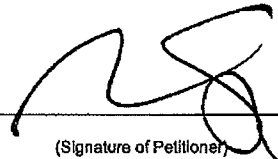
drafting and filing complaints, motions, and briefs; presenting CLEs

6. That petitioner or the petitioner's client (in a case in which the applicant represented the client) has never been held in contempt of court, sanctioned, censured in a disciplinary proceeding, suspended or disbarred by any court or admonished by any disciplinary committee of the organized bar, nor is the subject of any pending complaint before any court. (If number 6 is not true, the applicant shall strike that paragraph and shall file a separate confidential statement under seal specifying the court or disciplinary committee imposing the sanction, the date, the facts giving rise to the disciplinary action or complaint, the sanction imposed, and such other information, including any facts of a mitigating or exculpatory nature as may be pertinent, and such confidential statement, together with the petition, shall promptly be transmitted by the Clerk to the Chief Judge of the District for review.)


7. That petitioner has read and is familiar with the provisions of Title 28 of the United States Code that pertain to jurisdiction of and venue in a United States District Court, the Federal Rules of Civil and Criminal Procedure, the Federal Rules of Evidence, the Local Rules of Practice for the United States District Court for the Western District of New York and the New York Rules of Professional Conduct (22 NYCRR Part 1200).

WHEREFORE, the petitioner respectfully requests to be admitted as an attorney in the United States District Court for the Western District of New York.

I verify under penalty of perjury that the foregoing is true and correct.


(Signature of Petitioner)

Sworn to before me this 9 day of June, 2023


Notary Public

Commonwealth of Pennsylvania - Notary Seal
ALYSSA BENNETT - Notary Public
Philadelphia County
My Commission Expires March 9, 2026
Commission Number 1416216

(Revised 2020)

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

APPENDIX TO CIVILITY PRINCIPLES

OATH OF OFFICE

I do solemnly swear (or affirm):

I will support the Constitution of the United States and the Constitution of the State of New York; I will maintain the respect due to Courts of Justice and judicial officers;

I will not counsel or maintain any suit or proceeding which shall appear to me to be unjust nor any defense that I do not believe to be honestly debatable under the law of the land;

In maintaining the causes confided to me, I will employ only means that are honorable, and will never seek to mislead the judge or jury by an artifice or false statement of fact or law;

I will maintain the confidences and preserve inviolate the secrets of my client, and will accept compensation solely from the client or a third-party with the knowledge and approval of the client;

I will abstain from all offensive behavior and advance no fact prejudicial to the honor and reputation of a party or witness, unless my ethical duty requires;

I will in all other respects conduct myself personally and professionally in conformity with the high standards of conduct imposed upon members of the bar who practice law in this State and before this Court.



(Signature)

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

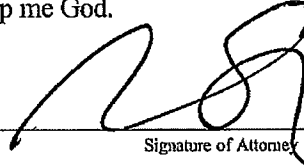
ATTORNEY'S OATH

STATE OF Pennsylvania)
) SS:
Philadelphia COUNTY)

I, Adam Steinbaugh of Philadelphia, PA

City, State

do solemnly swear or affirm that I will demean myself, as an attorney and counselor of the United States District Court for the Western District of New York, uprightly and accordingly to law; and I will support the Constitution of the United States. So help me God.


Signature of Attorney

Subscribed and sworn to before me this 7
day of June, 2023.



Notary Public

Commonwealth of Pennsylvania - Notary Seal
ALYSSA BENNETT - Notary Public
Philadelphia County
My Commission Expires March 9, 2026
Commission Number 1416216

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

IN THE MATTER OF THE APPLICATION OF

Adam Steinbaugh

(Name)

TO BE ADMITTED TO PRACTICE AS AN ATTORNEY

SPONSORING
AFFIDAVIT

STATE OF NEW YORK)
) ss:
COUNTY OF **Erie**)

Barry N. Covert, being duly sworn deposes and says:

1. I reside at:

1505 Grover Road, East Aurora, New York 14052

and maintain an office for the practice of law at: **Lipsitz, Green, Scime, Cambria LLP**

42 N. Delaware Avenue, Buffalo, New York 14202

2. I am an attorney at law, admitted to practice in the **State of New York**

, I was admitted to practice in the United States District Court for the
Western District of New York on the **18th** day of **June**, **1990**.

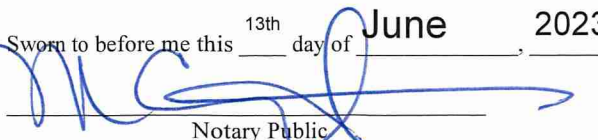
3. I have known the petitioner since **February 2022** and under the following
circumstances:

I have worked with Adam on the instant matter, as his organization (the Foundation for Individual Rights and Expression)

arranged for my representation of Stephen Kershner in connection with his expression and SUNY Fredonia's response.

4. I know the following about the petitioner's moral character and fitness to be admitted to practice in this Court: _____
Adam's moral character is of the highest calibre and he is fit to be admitted to practice before this Court.


Signature of Sponsoring Attorney

Sworn to before me this **13th** day of **June**, **2023**.

Notary Public

MEGAN G. COMMAROTO
Notary Public, State of New York
Reg. No. 01CO6297521
Qualified in Erie County
Commission Expires 02/24/20 **26**

Attorneys seeking to file documents electronically must be admitted to practice in the United States District Court for the Western District of New York.

Method of Admission: pro hac vice
(Petition, Certificate of Good Standing, *pro hac vice*)

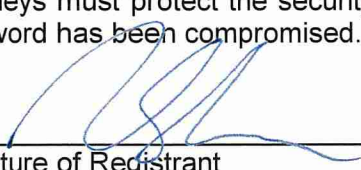
Date admitted to practice in this Court: pending
(write "pending" if admission is pending)

If admitted pro hac vice:

Date motion for pro hac vice granted: _____ in case number: _____

By submitting this registration form, the undersigned agrees to abide by all Court rules, orders and policies and procedures governing the use of the electronic filing system. The undersigned also consents to receiving notice of filings pursuant to Fed. R. Civ. P. 5(b) and 77(d) via the Court's electronic filing system. The combination of user id and password will serve as the signature of the attorney filing the documents.

Attorneys must protect the security of their passwords and immediately notify the court if they learn that their password has been compromised.



Signature of Registrant

June 13, 2023

Date

Please note that this form is required to be completed by any new attorneys seeking to be admitted to this District. If you have been previously admitted to practice in this court and are submitting this registration to request an account, you may fax the form to (716) 551-1705, or mail it to the following address:

Mary C. Loewenguth
United States District Court
Attn: CM/ECF Registration
2 Niagara Square
Buffalo, New York 14202

*OPTIONAL: Your login and password will be sent to you by the Office of the Clerk via the e-mail address you provided on your registration form. **If you prefer to have your login and password sent by U.S. Mail, please write the address below and mark your initials as approval for an alternate delivery method:**

Firm Address: _____

Attorney Initials: _____